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Attorneys for Respondent

10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE SOUTHERN DISTRICT OF CALIFORNIA
12

13 **ANTONIO MICHAEL VITALE,**

14 Petitioner,

15 v.

16 **JAMES TILTON, Secretary**

17 Respondent.
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Case No. 08-0331-JLS (WMc)

NOTICE OF LODGMENT

**LODGMENT
DOCUMENTS**

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NOTICE OF LODGMENT

18 Pursuant to the February 25, 2008, order requiring a response to Answer To
19 Petition For Writ of Habeas Corpus (28 U.S.C. § 2254), Respondent hereby lodges the
20 following records:

- 21 1. Reporter's Transcript for People v. Vitale, Superior Court Case No.
22 SCD186877 dated January 10, 2005, March 16, 2005, March 18, 2005, March 21, 2005,
23 March 22, 2005, March 24, 2005, March 25, 2005 and April 25, 2005.
- 24 2. Clerk's Transcript for People v. Vitale, Superior Court Case No. SCD161852,
25 2 volumes.
- 26 3. Appellant's Opening Brief.
- 27 4. Respondent's Brief.
- 28

5. Appellant's Reply Brief.
6. Order requesting supplemental briefing.
7. Appellant's Supplemental Brief.
8. Respondent's Supplemental Brief.
9. Opinion, Court of Appeal, filed August 16, 2006.
10. Petition for Rehearing.
11. Denial of Petition for Rehearing.
12. Petition for Review, filed in the California Supreme Court.
13. Order denying petition, California Supreme Court filed November 29, 2006.

Dated: April 14, 2008

Respectfully submitted,

EDMUND G. BROWN JR.
Attorney General of the State of California

DANE R. GILLETTE
Chief Assistant Attorney General

GARY W. SCHONS
Senior Assistant Attorney General

MATTHEW MULFORD
Deputy Attorney General

s/Andrew Mestman

ANDREW S. MESTMAN
Deputy Attorney General
Attorneys for Respondent

CERTIFICATE OF SERVICE BY U.S. MAIL

Case Name: **Vitale v. Tilton**

No.: **08-0331 JLS (WMC)**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On April 15, 2008, I served the following documents:

NOTICE OF LODGMENT

by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 110 West A Street, Suite 1100, P.O. Box 85266, San Diego, CA 92186-5266, addressed as follows:

Electronic Mail Notice List

I have caused the above-mentioned document(s) to be electronically served on the following person(s), who are currently on the list to receive e-mail notices for this case: n/a

Manual Notice List

The following are those who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing):

Patrick Morgan Ford
Attorney at Law
1901 First Avenue, Suite 400
San Diego, CA 92101
(Attorney for Petitioner)

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on April 15, 2008, at San Diego, California.

A. Curiel

Declarant


Signature